

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ISLIAH DENNIS,	§	
SID NO. 845152,	§	
TDCJ-CID NO.07155786,	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION H-10-0893
	§	
Unknown Defendants, et al.,	§	
Defendants.	§	

ORDER OF DISMISSAL

Plaintiff, a parolee detained in the Bexar County Adult Detention Center proceeding *pro se* and *in forma pauperis*, filed a complaint alleging violations of his civil rights under 42 U.S.C. § 1983. (Docket Entry No.1). The Clerk attempted to serve plaintiff with the Order granting him leave to proceed as a pauper but the Order was returned with a notation that plaintiff was "not here." (Docket Entry No.5). By this action, the Court presumes that plaintiff has been released from the Bexar County Adult Detention Center but has not provided the Court with a change of address, as required by local rule 83.4. Under that rule, a *pro se* litigant is responsible for keeping the Clerk advised in writing of his current address. The Court will only send notices to the address on file. Plaintiff has clearly failed to provide the Court with an accurate, current address.

The plaintiff's failure to pursue this action forces the Court to conclude that he lacks due diligence. Therefore, under

the inherent powers necessarily vested in a court to manage its own affairs, this Court determines that dismissal for want of prosecution is appropriate. See FED. R. CIV. P. 41(b); Woodson v. Surgitek, Inc., 57 F.3d 1406, 1417 (5th Cir. 1995). The plaintiff is advised, however, that upon a proper showing, relief from this order may be granted in accordance with Rule 60(b) of the Federal Rules of Civil Procedure.

Accordingly, it is ORDERED that this action be DISMISSED without prejudice for want of prosecution. All pending motions, if any, are DENIED.

The Clerk will provide a copy of this Order to all parties.

SIGNED at Houston, Texas, on May 20, 2010.


EWING WERLEIN, JR.
UNITED STATES DISTRICT JUDGE